

Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-03)

Approved for use through 08/30/06. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

09/997,390

Filing Date

November 30, 2001

First Named Inventor

Stephen D. Pacetti

Group Art Unit

3731

Examiner Name

Uyen T. Ho

Attorney Docket Number

50623.0062

### ENCLOSURES (check all that apply)

- ☒ Deposit Account 07-1850 Authorization
- ☒ Postage Paid Return Postcard
- ☐ Amendment and Response to Office Action ( pages)
- ☐ Amendment Transmittal Letter ( page) (in duplicate)
- ☐ Affidavits/declaration(s)
- ☐ Petition for Extension of Time ( months) (in duplicate) ( pages)
- ☐ Information Disclosure Statement (in duplicate) with Form PTO-1449 ( pages) and References
- ☒ Express Mail Label No. EV 8890 13455 US
- ☒ Certificate of Mailing
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☒ Drawing(s) Formal 5 Sheets with Submission of Drawings Transmittal
- ☒ Issue Fee Transmittal with PTO-85B (1 page) (in duplicate)
- ☐ Request for Continued Examination Transmittal (RCE) (in duplicate) ( pages)
- ☐ Fee Transmittal Form (in duplicate) ( pages)
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Request for Status of Application
- ☒ Other Enclosure(s) (please identify below):

Comments on Statement of Reasons for Allowance (1 page)

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Squire, Sanders & Dempsey L.L.P.  
Mark Lupkowski, Ph.D., Reg. No. 49,010

Signature

Date

January 3, 2007

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service via Express Mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below

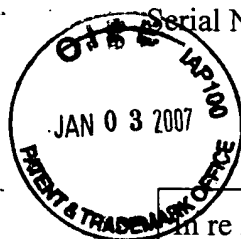
Typed or printed name

Mary M. Padilla

Signature

Date

January 3, 2007



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Examiner:
Stephen D. Pacetti	Ho, Uyen T
Serial No. 09/997,390	Art Unit: 3731
Filed: November 30, 2001	
Title: Apparatus and Method For Coating Implantable Devices	

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

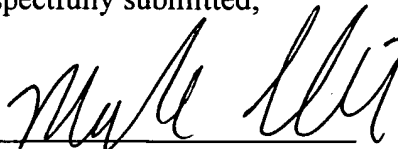
In the Examiner's statement of reasons for allowance, the Examiner states "as the coating formulation is being applied to the stent." In applicant's response filed January 17, 2006, the limitation "as the coating formulation is being applied to the stent" was deleted from claim 1. The above limitation does not appear in independent claims 23 and 34. Thus, the above limitation is not relevant to the patentability of at least claims 1, 23, and 34. The above limitation does appear in dependent claims 27, 36, and 37.

Additionally, the Examiner also states in the statement of reasons for allowance that "wherein this step is performed with an intention to serve a purpose as disclosed in the specification." The above language is irrelevant to the language of the claims.

Date: January 3, 2007

Squire, Sanders & Dempsey L.L.P.  
One Maritime Plaza, Suite 300  
San Francisco, CA 94111  
Telephone (415) 954-0200  
Facsimile (415) 393-9887

Respectfully submitted,

  
Mark Lupkowski, Ph.D.  
Reg. No. 49,010



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Examiner: Uyen T. Ho

Stephen D. Pacetti

Serial No.: 09/997,390

Art Unit: 3731

Filed: November 30, 2001

Title: Apparatus and Method for Coating Implantable Devices

Attention: Official Draftsperson  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF REPLACEMENT DRAWINGS**

Dear Official Draftsperson:

Applicants submit herewith for filing six replacement sheets of formal drawings consisting of Figures 1, 2, 3, 4, 5, 6, 7, 8, and 9 for the above-referenced application.

The Commissioner is hereby authorized to charge payment for any deficiency of required fees associated with this communication to Deposit Account 07-1850.

Date: January 3, 2007

SQUIRE, SANDERS & DEMPSEY L.L.P.  
One Maritime Plaza, Suite 300  
San Francisco, CA 94111  
Telephone (415) 954-0200  
Facsimile (415) 393-9887

Respectfully submitted,

Mark Lupkowski, Ph.D.  
Attorney for Applicants  
Registration No. 49,010